

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
(707) 445-7833 FAX (707) 445-7877

[www.coastal.ca.gov](http://www.coastal.ca.gov)

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# **NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT**

*For the*

*November Meeting of the California Coastal Commission*

**MEMORANDUM**

Date: November 16, 2007

TO: Commissioners and Interested Parties  
FROM: Peter Douglas, North Coast District Deputy Director  
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Coast District Office for the November 16, 2007 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Coast District.

***EMERGENCY PERMITS***

1. 1-07-048-G Reclamation District No. 768 (, Humboldt County)

***EXTENSION - IMMATERIAL***

1. A-1-MEN-05-023-E1 Frederick Everts, Charles Higgins, & Leela Gill (Gualala, Mendocino County)

***TOTAL OF 2 ITEMS***

## **DETAIL OF ATTACHED MATERIALS**

### **REPORT OF EMERGENCY PERMITS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>1-07-048-G</b> Reclamation District No. 768	Repair and maintenance of a total of approximately 780 feet of existing levee involving placement of a combination of earthen fill and rock slope protection (RSP). A total of 307 tons of soil and levee material will be cleared, removed, and disposed of off-site; 528 cubic yards of engineered fill and backfill will be placed on the levee; and 875 cubic yards of RSP will be placed along the levee repair site. The repair site will be accessed using a temporary culvert and fill crossing across the levee's inboard ditch.	Jackson Ranch levee, along Mad River Slough, sites 1, 2, 3, 13.1, 13.2, 13.3, Humboldt County

### **REPORT OF EXTENSION - IMMATERIAL**

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>A-1-MEN-05-023-E1</b> Frederick Everts, Charles Higgins, & Leela Gill	Construction of a 2,517 sq. ft., 27-ft.-high, single-family home with connection to existing utilities, installation of propane tank, and temporary occupancy of a travel trailer during construction	38520 Pacific Drive (W side of Pacific Dr. (CR#530), approx. 113 ft. S of Westward Ho (CR#529) & Pacific Dr. intersection), Gualala (Mendocino County)

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NORTH COAST DISTRICT OFFICE

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## EMERGENCY PERMIT

Reclamation District 768  
c/o Oscar Larson & Associates  
Attn: Stein Coriell  
317 Third Street  
Eureka, CA 95501

Date: November 13, 2007  
Emergency Permit No. 1-07-048-G

### LOCATION OF EMERGENCY WORK:

At six localities along the Jackson Ranch Levee on the left bank of Mad River Slough, north of Samoa Road (State Highway 255) and Arcata Bay, Humboldt County.

### WORK PROPOSED:

Repair and maintenance of a total of approximately 780 feet of existing levee involving placement of a combination of earthen fill and rock slope protection (RSP). A total of 307 tons of soil and levee material will be cleared, removed, and disposed of off-site; 528 cubic yards of engineered fill and backfill will be placed on the levee; and 875 cubic yards of RSP will be placed along the levee repair site. The repair site will be accessed using a temporary culvert and fill crossing across the levee's inboard ditch.

### PERMIT RATIONALE:

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that storm surge and high tidal inundation-related erosion has resulted in compromising the long-term structural integrity of the levee. Consequently, if timely repairs to the most significantly damaged portions of the levee are not conducted within an expedited timeframe, the likelihood that a catastrophic breach in the levee during the on-coming winter season would be substantially increased. Such a breach could result in the inundation of significant areas of coastal agricultural lands and public roads by tidal waters. Therefore, the situation requires immediate action to prevent damage to private property and public infrastructure.

Pursuant to Title 14 of the California code of Regulations, Section 13009, the Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit; and
- (b) Public comment on the proposed emergency action has been reviewed as time allows; and
- (c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

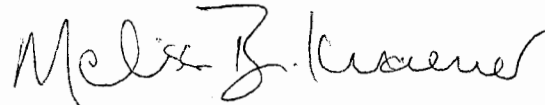
The work is hereby approved, subject to the conditions listed on the attached page.



Emergency Permit Number: 1-07-048-G  
Date: November 13, 2007  
Page 2 of 6

Sincerely,

PETER M. DOUGLAS  
Executive Director

A handwritten signature in black ink, appearing to read "Melissa B. Kraemer". The signature is fluid and cursive, with the first name "Melissa" being more prominent than the last name "Kraemer".

MELISSA B. KRAEMER  
Coastal Planner/Analyst



CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned within 15 days.
2. Only work specifically described in this permit and for the specific property listed above is authorized. The project shall be undertaken in accordance with the plans and other information submitted to the Coastal Commission. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 90 days or by February 11, 2008.
4. The temporary culvert and fill ditch crossing located just south of the HBMWD single pipeline crossing shall be constructed using plastic culverts and hay bales, as proposed in "Scenario 3" of the August 13, 2007 letter from Oscar Larson & Associates Project Manager Michael Holtrigel to the Coastal Commission staff regarding "Reclamation District 768 Levee Repair Project – Investigation of Scenarios for Construction Equipment and Construction Materials to Access the Levee Repair Work." The temporary crossing shall be completely removed within 10 days of completion of construction activities, or by February 11, 2008, whichever is earliest.
5. As described in the U.S. Fish and Wildlife Services Formal Consultation for the levee repair project (File No. 8-14-2006-3050), prior to construction of the temporary ditch crossing, tidewater gobies shall be excluded from the areas of impact by using seine netting stretching from substrate to water surface and bank to bank. The netting must be a knotless mesh of no greater than 0.125-inch openings in the largest dimension. Netting shall be deployed in such a way that it excludes gobies from the construction area and keeps them from entering the construction zone until the structure is in place and all work within the wetted channels for the purpose of constructing the crossing has been completed. The results of fish exclusion efforts shall be reported to the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and any other relevant agencies.
6. Heavy equipment shall not operate in the slough, inboard ditch, or wetted channels. All repair or restoration work shall be done from the top of the levee or from the landward side of the channel by loader, backhoe, or excavator.
7. Construction activities shall be conducted during low tide or limited to the areas above mean high water.
8. All temporary access roads and staging areas shall be limited to the locations and sizes specified in the emergency permit application dated September 18, 2007, and all fill placed for temporary access roads and staging areas shall be completely removed within 10 days of completion of construction activities or by February 11, 2008, whichever is earliest.
9. The permittee shall use relevant best management practices (BMPs) as detailed in the "California Storm Water Best Management (Construction and Industrial/Commercial)



Handbooks, developed by Camp, Dresser & McKee, et al. for the Storm Water Quality Task Force (see <http://www.cabmphandbooks.com>).

10. All repair or restoration activities involving the levee shall include the placement of geotextile or similar erosion control material between the authorized fill and the levee and the placement of the riprap to reduce or minimize the amount of erosion that may otherwise occur.
11. Effective erosion control measures shall be in place at all times during construction. Construction must not commence until all temporary erosion control devices (e.g., silt fences) are in place. A supply of erosion control materials shall be maintained on site to facilitate a quick response to unanticipated storm events or emergencies. If continued erosion is likely to occur after construction is completed, then appropriate erosion prevention measures shall be implemented and maintained until erosion has subsided. Erosion control devices are temporary structures and shall be removed after completion of construction.
12. Erosion controls shall be used to protect and stabilize stockpiles and exposed soils to prevent movement of materials (e.g., silt fences, berms of hay bales, plastic sheeting held down with rocks or sandbags over stockpiles, etc.).
13. Work sites shall be winterized at the end of each day when significant rains are forecast that may cause unfinished excavation to erode.
14. Armoring Rock: All new revetment material to be used shall consist of either clean quarry rock or concrete rubble materials that are free of asphalt and waste materials. The revetment materials shall not be greater than three feet in any one direction or smaller than one cubic foot in size except for Light Class RSP placed between the RSP fabric and the exposed armoring rock. All exposed reinforcement bar shall be removed prior to installation of any concrete rubble riprap. No rock shall be placed outside of the existing footprint of the levee system.
15. Fill Material: Only dry, clean fill may be used for levee repairs and must be free of debris (vegetation, asphalt etc.). No fill shall be placed outside of the existing footprint of the levee system.
16. No construction materials, debris, or waste shall be placed or stored where it may be subject to entering waters of Arcata Bay, Mad River Slough, or seasonal wetlands outside of levee repair areas and temporary staging areas and access roads. Any debris discharged into coastal waters or mudflats outside the levee or into the inboard ditch and associated wetted channels shall be recovered immediately, removed to staging areas and/or hauled off site.
17. During construction, all trash shall be properly contained, removed from the work site, and disposed of on a regular basis to avoid contamination of habitat during restoration activities. Following construction, all trash and construction debris shall be removed from work areas and disposed of properly.



18. All construction debris shall be removed and disposed of in an upland location at an approved disposal facility within 10 days of project completion or by February 11, 2008, whichever is earliest.
19. Any fueling and maintenance of construction equipment shall occur within upland areas outside of environmentally sensitive habitat areas or within designated staging areas.
20. Fuels, lubricants, and solvents shall not be allowed to enter the coastal waters, the inboard ditch, or seasonal wetlands. Hazardous materials management equipment including oil containment booms and absorbent pads shall be available immediately on-hand at the project site, and a registered first-response, professional hazardous materials clean-up/remediation service shall be locally available on call.
21. After project completion, all exposed soils present in and around the project site which may deliver sediment to a wetland or the slough shall be stabilized with mulch, seeding, and/or placement of erosion control blankets. Erosion control seeding shall include only native, regionally appropriate species or noninvasive agricultural species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California, shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the governments of the State of California or the United States shall be utilized within the property.
22. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless of any liabilities for damage to public or private properties or personal injury that may result from the project.
23. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the U.S. Army Corps of Engineers, the California Department of Fish and Game, the County of Humboldt, the Humboldt Bay Harbor, Recreation, and Conservation District, or the North Coast Regional Water Quality Control Board.

The emergency work is considered to be temporary work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a regular Coastal Development Permit or permit amendment must be obtained. A regular permit or permit amendment would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

If you have any questions about the provisions of this emergency permit, please call the Commission's North Coast District Office at the address and telephone number list on the first page.





Emergency Permit Number: 1-07-048-G

Date: November 13, 2007

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Encl.: Emergency Permit Acceptance Form, Regular Application Form

cc w/out encl.: Steve Werner, Humboldt County Planning Division, Eureka  
Dave Hull, Humboldt Bay Harbor, Recreation, & Conservation District, Eureka  
David Ammerman, U.S. Army Corps of Engineers, Eureka  
Diane Ashton, National Marine Fisheries Service, Arcata  
Greg Goldsmith, U.S. Fish and Wildlife Service, Arcata  
Vicki Frey, Department of Fish and Game, Eureka



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November 13, 2007

## NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Frederick Everts, Charles Higgins, & Leela Gill**  
has applied for a one year extension of Permit No: **A-1-MEN-05-023-E1**  
granted by the California Coastal Commission on: November 16, 2005

for **Construction of a 2,517 sq. ft., 27-ft.-high, single-family home with connection to existing utilities, installation of propane tank, and temporary occupancy of a travel trailer during construction**

at **38520 Pacific Drive (W side of Pacific Dr. (CR#530), approx. 113 ft. S of Westward Ho (CR#529) & Pacific Dr. intersection), Gualala (Mendocino County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

A handwritten signature in black ink, appearing to read "Robert D. Merrill".

By: ROBERT MERRILL  
District Manager